

## **REMARKS**

### **INTRODUCTION**

In accordance with the foregoing, the specification, abstract and claims 1, 3, 9, 11, 13 and 15 have been amended. Claims 2, 6-8, 10 and 12 have been cancelled. Claims 1, 3-5, 9, 11 and 13-27 are pending and under consideration.

### **OBJECTION TO THE TITLE**

The title was objected to as not descriptive. Appropriate correction has been made to the title. Withdrawal of the foregoing rejection is requested.

### **AMENDMENT TO THE ABSTRACT AND SPECIFICATION**

The abstract and specification has been amended to improve the form of the application. No new matter has been added.

### **CLAIM REJECTION – 35 USC 112**

Claim 16 was rejected under 35 USC 112, second paragraph, as being indefinite for failing to provide sufficient antecedent basis for the limitation “the data processing rotational speed.” The base claim of claim 16 has been amended to include appropriate antecedent basis for the foregoing limitation.

Withdrawal of the foregoing rejection is requested.

### **CLAIM REJECTION – 35 USC 102**

Claims 1, 5, 9, 11, 14 and 16-18 were rejected under 35 USC 102(e) as being anticipated by Koizumi et al. (US 2005/0146806) (hereinafter “Koizumi”).

Independent claims 1, 9 and 11 have been amended to include the allowable subject matter of claims 2, 10 and 12, respectively, and are therefore believed to be in a condition for allowance. Claims 1 and 9 have been further amended to improve the form of the claims. No new matter has been added. Claims 5, 14 and 16-18 are dependent on claims 1 and 11, respectively, and are therefore believed to be allowable for the foregoing reasons.

Withdrawal of the foregoing rejection is requested.

### ALLOWABLE SUBJECT MATTER

The Applicant acknowledges with appreciation that claims 19-27 have been allowed and that claims 2-4, 6-8, 10, 12, 13 and 15 have been found to contain allowable subject matter. Claims 2, 10 and 12 have been cancelled and their allowable subject matter has been incorporated into their respective base claims. Claims 3, 13 and 15 have been amended to alter their dependency from cancelled claims 2 and 12, respectively. Claims 6-8 have been cancelled. It is respectfully submitted that claim 4 is allowable in its present form.

### CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: Feb 27, 2006

By: Gregory W. Harper  
Gregory W. Harper  
Registration No. 55,248

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501